

Amendment No. 1 to SB3264

Johnson
Signature of Sponsor

AMEND Senate Bill No. 3264

House Bill No. 3472*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-115-102, is amended by adding the following language as a new, appropriately designated subdivision:

() "Pro-am competition" means a competition that features a combination of professional contests and amateur events;

SECTION 2. Tennessee Code Annotated, Section 68-115-103(b), is amended by inserting the language "Prior to August 1, 2012," at the beginning of the subsection and is further amended by designating the current language as subdivision (b)(1) and by adding the following language as (b)(2):

(2) On and after August 1, 2012, the commission shall consist of five (5) members. Except as provided in subdivision (b)(2)(B), a member's term of office shall be four (4) years.

(A) One (1) member shall be a public member, to be appointed by the governor;

(B) Two (2) of the members shall have knowledge of and experience in boxing, with one (1) of the members to be appointed by the speaker of the house of representatives and one (1) of the members to be appointed by the governor. The member first appointed to fill a vacancy arising from the expiration of a member's term after August 1, 2012, shall be appointed to a term of three (3) years; and

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(C) Two (2) of the members shall have knowledge of and experience in mixed martial arts, with one (1) of the members to be appointed by the speaker of the senate and one (1) of the members to be appointed by the governor.

SECTION 3. Tennessee Code Annotated, Section 68-115-103, is amended by adding the following language as a new subsection (k):

(k) Vacancies arising from the expiration of members' terms on July 31, 2012, shall not be filled. Notwithstanding subsection (b), the commissioners serving unexpired terms on August 1, 2012, may remain as members of the commission until the expiration of their terms. Any vacancy arising from the expiration of a member's term shall be filled so that the composition of the commission meets the requirements of subsection (b).

SECTION 4. Tennessee Code Annotated, Section 68-115-103(f), is amended by deleting the language "shall not be reappointed for four (4) years from the date the member's term expires" and by substituting instead the language "shall not be reappointed for one (1) year from the date the member's term expires".

SECTION 5. Tennessee Code Annotated, Section 68-115-103(g), is amended by is amended by inserting the language "Prior to August 1, 2012," at the beginning of the subsection and is further amended by designating the current language as subdivision (g)(1) and by adding the following language as a new (g)(2):

(2) On and after August 1, 2012, three (3) members of the commission shall constitute a quorum for the exercise of the authority conferred upon the commission.

SECTION 6. Tennessee Code Annotated, Section 68-115-103, is amended by adding the following language as a new subsection (l):

(l) Each commissioner shall attend at least three (3) events, competitions, or contests annually.

SECTION 7. Tennessee Code Annotated, Section 68-115-104(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

68-115-104.

(a)

(1) Prior to August 1, 2012, a vacancy through expiration of the term of the public member and the members who are licensed physicians shall be filled by appointment by the governor for a term of four (4) years. In the event a vacancy should occur other than by expiration of the term of a public member, the governor shall fill the vacancy for the unexpired portion of the original term.

(2) On and after August 1, 2012, except as provided in § 68-115-103(b)(2)(B), vacancies through expiration of the terms of the members of the commission appointed by the governor shall be filled by appointment by the governor for a term of four (4) years. If a vacancy occurs other than by expiration of the term, then the governor shall fill the vacancy for the unexpired portion of the original term.

SECTION 8. Tennessee Code Annotated, Section 68-115-108(a), is amended by designating the existing language as subdivision (1) and by adding the following language to be designated as subdivision (2):

(2) If a commissioner is permitted to attend a meeting from a remote location by telephone, television, teleconferencing or other electronic means pursuant to the rules of the commission and title 8, chapter 44, a commissioner shall utilize such method no more than twice annually unless an emergency situation arises.

SECTION 9. Tennessee Code Annotated, Section 68-115-108(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) The commission members shall receive reimbursement for expenses incurred in attending meetings of the commission and for travel incident to attending meetings of the commission, in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 10. Tennessee Code Annotated, Section 68-115-201(a), is amended by deleting the language "combatants in professional contests or events of unarmed combat" and by substituting instead the language "combatants in professional contests, amateurs in events, and combatants and amateurs in pro-am competitions".

SECTION 11. Tennessee Code Annotated, Section 68-115-203(a), is amended by deleting the language "professional contests of unarmed combat held" and by substituting instead the language "professional contests and pro-am competitions held" and is further amended by adding the following language at the end of the subsection:

Any provision of this chapter or rule of the commission applicable to professional contests and to combatants, promoters, managers, matchmakers, seconds, ringside physicians and any other ring official participating in professional contests shall apply to professional contests conducted as part of a pro-am competition and participants in such contests.

SECTION 12. Tennessee Code Annotated, Section 68-115-208(a), is amended by designating the existing language as subdivision (a)(1), adding the following as subdivision (a)(2) and redesignating accordingly:

(2) In addition, if a pro-am competition or an amateur event is broadcasted or televised, such event shall be subject to, and the promoter shall pay, the same percentage of gross receipts as are required pursuant to subdivision (a)(1)(A) for professional contests and the percentage of total gross receipts required pursuant to

subdivision (a)(1)(B) for professional contests related to broadcasting, television and motion picture rights.

SECTION 13. Tennessee Code Annotated, Section 68-115-213, is amended by adding the following language as a new subsection (d):

(d) Notwithstanding subsections (a)-(c), the commission shall be the sole regulatory authority for pro-am competitions. Any amateur who participates in an event that is conducted as part of a pro-am competition shall be subject to the jurisdiction of the commission and is required to obtain an amateur license issued by the commission. In accordance with § 68-115-201(a), the commission shall promulgate rules relative to amateur events conducted as part of a pro-am competition and amateur participants in such events, including but not limited to physical examinations.

SECTION 14. Tennessee Code Annotated, Section 68-115-216(a), is amended by inserting the language "or pro-am competition" immediately following the language "professional contest of unarmed combat".

SECTION 15. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. Sections 1 and 6 and Sections 8 through 14 shall take effect July 1, 2012, the public welfare requiring it. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.